

### REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-5, 10-14, 18-20 and 22-29 are pending in the application. Claims 6-9, 15-17 and 21 have been cancelled without prejudice or disclaimer. Several claims have been amended to better define the claimed invention. New claims 22-29 have been added to provide Applicants with the scope of protection to which they are believed entitled. The amended/new claims find solid support in the original specification and drawings, e.g., FIGs. 5-7 and the corresponding text in the specification. No new matter has been introduced through the foregoing amendments.

The repeated 35 U.S.C. 103(a) rejections of claims 1-21 as being obvious over various references are noted. Although Applicants do not necessarily agree with the Examiner's position, for at least the reasons detailed in the previous Amendment, further amendments have nevertheless been made to specifically avoid the rejections, solely for the purpose of expediting prosecution.

In particular, independent **claim 1** has been amended to include one or more limitations of previous claims 1, 2, 16 and 21. Amended claim 1 now recites, among other things, (1) a special game shift unit for, before the game starts, causing the game to shift from a normal mode to a special mode (2) based on at least a common feature of the personal attribute information of each of the players in the player group. Applicant respectfully submit that the applied references do not fairly teach or suggest at least the above features of amended claim 1.

The Examiner's reliance on *Yamada* at column 9 lines 29-35 for feature (1), previously in claim 21, is noted. Applicants respectfully disagree with the Examiner, because the cited portion of *Yamada*<sup>1</sup> does not teach or suggest the claim feature. First, *Yamada* teaches selecting a computer

---

<sup>1</sup> "At the start of a game, when the player holding the portable game device has selected whether to play against the

or human opponent, rather than shifting the same mode as claimed. Second, the selecting taught by *Yamada* is performed by the player rather than by a special game shift unit, contrary to the claimed invention.

The Examiner's reliance on *Slomiany* at column 1 lines 29-35 for feature (2), previously in claim 16, is noted. Applicants respectfully disagree with the Examiner, because the cited portion of *Slomiany*<sup>2</sup> does not teach or suggest the claim feature. Applicants have carefully reviewed the entire cited portion, yet failed to locate any teaching or suggestion of the claimed game shifting based on at least a common feature of the players. It should be noted that type of bonus game disclosed in *Slomiany* as well as the associated basic game are reel type slot machine,<sup>3</sup> i.e., single player games. Thus, no matter how the bonus game is generated by *Slomiany*, it cannot be generated based on a common feature of multiple players, contrary to the claimed invention.

**Claim 2** has been amended to be in independent form and include one or more limitations of previous claims 1, 2, 17 and 21. Amended claim 2 now recites, among other things, (1) a special game shift unit for, before the game starts, causing the game to shift from a normal mode to a special mode (3) based on different features of the personal attribute information of each of the players in the player group. Applicant respectfully submit that the applied references do not fairly teach or suggest at least the above features of amended claim 2.

Feature (1) of claim 2 is neither disclosed, taught nor suggested by the applied references, especially *Yamada*, as discussed *supra* with respect to a similar feature of claim 1.

---

computer or against another player, the screen shown in FIG. 6 appears. Hereinafter, the computer or other player forming the opponent shall simply be called the "opponent", and the player playing the game by operating the portable game device illustrated shall be called the "player".

<sup>2</sup> "One concept which has been successfully employed to enhance the entertainment value of a game is the concept of a "secondary" or "bonus" game which may be played in conjunction with a "basic" game. The bonus game may comprise any type of game, either similar to or completely different from the basic game, which is entered upon the occurrence of a selected event or outcome of the basic game."

<sup>3</sup> See, for example, *Slomiany* at column 1 lines 36-53.

Feature (3) of claim 2 is neither disclosed, taught nor suggested by the applied references, especially *Slomiany*, as substantially discussed *supra* with respect to feature (2) of claim 1, i.e., *Slomiany* does not teach or suggest considering personal attribute information of multiple players in generating a bonus game. It is also submitted that it is unreasonable to rely on the same prior art teaching, i.e., column 1 lines 29-35 of *Slomiany*, for two completely opposite claim features, i.e., common features of claim 1 and different features of claim 2. The prior art can only teach one, if at all, not both of features (2) and (3) of claims 1 and 2, respectively.

It should be further noted that the invention of claims 1-2 provides the following advantages and/or features.

**1. Generation of a special mode before a game**

The gaming system of claims 1-2 switches the game to a special mode, as well as generates a player group, and the special mode is based on common or different features of each player of the player group. By the special mode game, the players in remote locations obtain the sense of reality, familiarity, and the like, thereby enhancing pleasure and/or excitement in the game so as to intensify the sense of anticipation of the players.

On the contrary, the bonus game of *Slomiany* and *Yoseloff* is generated after the basic game, therefore the players of the basic game cannot obtain the sense of reality, familiarity, and the like, so as to deteriorate the pleasure and/or excitement of the game. In particular, on games that require gamesmanship among players, the players may not feel enough satisfaction from playing the bonus game.

Also, according to the claimed invention, the gaming system avoids long waiting time to transmit to a special mode which can be the main reasons for players losing enthusiasm for the game itself.

**2. A special mode based on common or different feature(s)**

In addition, the special mode of the claimed invention is generated based on common or different features of each player of the player group; therefore, the players obtain a sense of connection to the other players or a sense of a representative, as well as a pleasure and/or excitement of playing a game in the special mode.

On the contrary, Slomiany discloses that the bonus game is similar to or completely different from the basic game, without disclosing that the special mode is generated when the personal attribute of each player of the player group is common or different. Yoseloff discloses the scanning technology, however that it is used to determine whether the personal attribute information of each player of the player group is common or different.

A special mode based on common or different features(s)

Accordingly, the invention of claims 1 and 2 is not only patentable but also advantageous over the applied art of record. Withdrawal of the rejections of claims 1 and 2 is believed appropriate and therefore respectfully requested.

Claim 10 has been amended to direct to a gaming method in which (1) the server determines, before the game starts, whether the game should be shifted to a special mode based on features of the personal attribute information of each of the players; and (4) the server awards a title related to the features that have triggered the special mode to a winner of the game played in the special mode. Applicant respectfully submit that the applied references do not fairly teach or suggest at least the above features of amended claim 10.

Feature (1) of claim 10 is neither disclosed, taught nor suggested by the applied references, especially *Yamada*, as discussed *supra* with respect to a similar feature of claim 1.

Feature (4) of claim 10 is neither disclosed, taught nor suggested by the applied references,

which do not teach or suggest awarding to a winner of the game played in the special mode any title related to the features that have triggered the special mode. It should be noted that in the claimed invention, a special mode game can be generated based on the personal attribute information, and the name of the special game mode entitled based on the features in the personal attribute information that have triggered the special mode. In addition, the winner of the special game can receive the title based on the features. Yoseloff does not disclose that the special mode winner is awarded a title based on the at least one feature of said personal attribute information.

Accordingly, the invention of claim 10 is not only patentable but also advantageous over the applied art of record. Withdrawal of the rejection of claim 10 is believed appropriate and therefore respectfully requested.

Claim 18 has been amended to be in independent form and include one or more limitations of previous claims 1, 16 and 18. Amended claim 18 now recites, among other things, a special game shift unit for causing the game to shift from a normal mode to a special mode based on features of the personal attribute information, wherein the special mode and a (4) title thereof are related to (2) common features in the personal attribute information of all players participating in the game. Applicant respectfully submit that the applied references do not fairly teach or suggest at least the above features of amended claim 18.

Feature (2) of claim 18 is neither disclosed, taught nor suggested by the applied references, especially *Slomiany*, as discussed *supra* with respect to a similar feature of claim 1.

Feature (4) of claim 18 is neither disclosed, taught nor suggested by the applied references, especially *Yoseloff*, as discussed *supra* with respect to a similar feature of claim 10.

Accordingly, the invention of claim 18 is not only patentable but also advantageous over the applied art of record. Withdrawal of the rejection of claim 18 is believed appropriate and therefore respectfully requested.

**Claim 19** has been amended to be in independent form and include one or more limitations of previous claims 1, 17 and 19. Amended claim 19 now recites, among other things, a special game shift unit for causing the game to shift from a normal mode to a special mode based on features of the personal attribute information, wherein the special mode and a (4) title thereof are related to (3) differences in the personal attribute information of all players participating in the game. Applicant respectfully submit that the applied references do not fairly teach or suggest at least the above features of amended claim 19.

Feature (3) of claim 19 is neither disclosed, taught nor suggested by the applied references, especially *Slomiany*, as discussed *supra* with respect to a similar feature of claim 2.

Feature (4) of claim 19 is neither disclosed, taught nor suggested by the applied references, especially *Yoseloff*, as discussed *supra* with respect to a similar feature of claim 10.

Accordingly, the invention of claim 19 is not only patentable but also advantageous over the applied art of record. Withdrawal of the rejection of claim 19 is believed appropriate and therefore respectfully requested.

New independent **claim 22** recites, among other things, a game server configured to perform actions (i)-(vii). New independent **claim 26** recites, among other things, a game server configured to perform actions (i)-(vii) and a main control circuit controlling comprehensively plurality of gaming machines connected to the game server. Claims 22 and 26 are patentable over the applied art of record at least because the art does not fairly teach or suggest the claimed game server configured to generate a player group. Although Sparks discloses that the matching operation compares the user's skill level, and that a determination of a best fit for the user is made, in the claimed invention, a player group is generated without requiring such comparing. Furthermore, the gaming terminal group of claim 26 comprises a main control circuit for controlling comprehensively these separate gaming terminals and for controlling the connection to

the network N, therefore, the server manages the gaming terminals more easily and the game in the group can be played with no difficulty.

In addition, the applied references do not fairly teach or suggest feature (v), i.e., common, of claims 22 and 26 for the reason presented with respect to similar feature (2) of claim 1. The references also fail to teach or suggest feature (vii), i.e., renewing the personal attribute information of each player based on the result of the game, of claims 22 and 26.

Accordingly, Applicants respectfully submit that new independent claims 22 and 26 are patentable over the art.

The dependent claims are considered patentable at least for the reasons advanced with respect to the respective independent claims.

At least new dependent claims 23-24 are also patentable on their own merits since these claims recite other features neither disclosed, taught nor suggested by the applied art, namely, two different kinds of game credits. One kind is composed of jewels; and the other kind is composed of points. Further, the jewel has relation with the personal attribute information (e.g., the birth date in claim 24). For example, as discussed in relevant part of the specification that supports claims 23, 24, when the jewel is the player's birthstone, the jewel is converted into 3 points, on the other hand, if the jewel is not the player's birthstone, the jewel is converted into 1 point. This enhances the player's desire to participate in the special game and the players may have more pleasure and/or excitement in the game itself so as to increase the player's sense of competition.

Accordingly, Applicants respectfully submit that new claims 23-24 are separately patentable over the art.

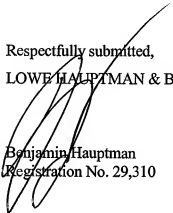
Accordingly, all claims in the present application are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

Serial No. 10/743,326

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,  
LOWE HAUPTMAN & BERNER, LLP



Benjamin Hauptman  
Registration No. 29,310

USPTO Customer No. 22429  
1700 Diagonal Road, Suite 310  
Alexandria, VA 22314  
(703) 684-1111  
(703) 518-5499 Facsimile  
Date: September 4, 2007  
BJH/KL/mps